

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CASIO COMPUTER CO., LTD.,

Plaintiff,

v.

THE INDIVIDUALS,
CORPORATIONS, LIMITED
LIABILITY COMPANIES,
PARTNERSHIPS AND
UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON
SCHEDULE A HERETO, et al.,
Defendants.

Case No. 23-cv-0895

Judge Thomas M. Durkin

Magistrate Judge M. David Weisman

SEALED TEMPORARY RESTRAINING ORDER

Plaintiff CASIO COMPUTER CO., LTD. (“Plaintiff”) filed an *Ex Parte* Motion for Entry of a Temporary Restraining Order and Other Relief (the “Motion”) against the fully interactive, e-commerce stores¹ operating under the seller aliases identified in Schedule A to the Complaint and attached hereto (collectively, “Defendants”) and using at least the domain names identified in Schedule A (the “Defendant Domain Names”) and the online marketplace accounts identified in Schedule A (the “Online Marketplaces”). After reviewing the Motion and the accompanying record, this Court GRANTS Plaintiff’s Motion in part as follows.

This Court finds, in the absence of adversarial presentation, that it has personal jurisdiction over Defendants because Defendants directly target their business activities toward consumers in the United States, including Illinois. Specifically, Plaintiff has provided a basis to conclude that Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores

¹ The e-commerce store urls are listed on Schedule A hereto under the Online Marketplaces.

that target United States consumers using one or more seller aliases, offer shipping to the United States, including Illinois, and have sold products using infringing and counterfeit versions of Plaintiff's federally registered patented design (the "CASIO Patented Design") to residents of Illinois. In this case, Plaintiff has presented screenshot evidence that each Defendant e-commerce store is reaching out to do business with Illinois residents by operating one or more commercial, interactive internet stores through which Illinois residents can and do purchase products using counterfeit versions of the CASIO Patented Design. *See* Docket Nos. [13-20], which include screenshot evidence confirming that each Defendant internet store does stand ready, willing and able to ship its counterfeit goods to customers in Illinois bearing infringing and/or counterfeit versions of the CASIO Patented Design. The CASIO Patented Design is included in the below chart.

| REGISTRATION NUMBER | REGISTERED PATENTED DESIGN | INTERNATIONAL CLASSES |
|--------------------------------|---------------------------------------|----------------------------------|
| D580,478 | Electronic Calculator | |

This Court also finds that issuing this Order without notice pursuant to Rule 65(b)(1) of the Federal Rules of Civil Procedure is appropriate because Plaintiff has presented specific facts in the Declaration of Hideyuki Kiuchi in support of the Motion and accompanying evidence clearly showing that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition. Specifically, in the absence of an *ex parte* Order, Defendants could and likely would move any assets from accounts in financial institutions under this Court's jurisdiction to off-shore accounts. Accordingly, this Court orders that:

1. Defendants, their officers, agents, servants, employees, attorneys, and all persons acting for, with, by, through, under, or in active concert with them be temporarily enjoined and restrained from:
 - a. using the CASIO Patented Design or any reproductions, counterfeit copies, or colorable imitations in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine CASIO product or not authorized by Plaintiff to be sold in connection with the CASIO Patented Design;
 - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine CASIO product or any other product produced by Plaintiff, that is not Plaintiff's or not produced under the authorization, control, or supervision of Plaintiff and approved by Plaintiff for sale under the CASIO Patented Design;
 - c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control, or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff; and
 - d. manufacturing, shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which bear any of Plaintiff's patented designs, including the CASIO Patented Design, or any reproductions, counterfeit copies, or colorable imitations.
2. Defendants shall not transfer or dispose of any money or other of Defendants' assets in any of Defendants' financial accounts.

3. Plaintiff is authorized to issue expedited written discovery to Defendants, pursuant to Federal Rules of Civil Procedure 33, 34, and 36, related to:
 - a. the identities and locations of Defendants, their officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with them, including all known contact information and all associated e-mail addresses;
 - b. the nature of Defendants' operations and all associated sales, methods of payment for services, and financial information, including, without limitation, identifying information associated with the Online Marketplaces and Defendants' financial accounts, including Defendants' sales and listing history related to their respective Online Marketplaces; and
 - c. any financial accounts owned or controlled by Defendants, including their officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with them, including such accounts residing with or under the control of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, PayPal, Inc. ("PayPal"), Alipay, Alibaba Group Holding Ltd. ("Alibaba"), Ant Financial Services Group ("Ant Financial"), Amazon Pay, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
4. The domain name registries for the Defendant Domain Names, including, but not limited to, VeriSign, Inc., Neustar, Inc., Afilias Limited, CentralNic, Nominet, and the Public Interest Registry, and the domain name registrars, including, but not limited to, GoDaddy Operating Company LLC, Name.com, PDR LTD. d/b/a/ PublicDomainRegistry.com, and Namecheap Inc., within seven (7) calendar days of receipt of this Order or prior to the

expiration of this Order, whichever date shall occur first, shall disable the Defendant Domain Names and make them inactive and untransferable until further order by this Court.

5. Upon Plaintiff's request, any third party with actual notice of this Order who is providing services for any of the Defendants, or in connection with any of Defendants' Online Marketplaces, including, without limitation, any online marketplace platforms such as eBay, Inc., AliExpress, Alibaba, Amazon.com, Inc., and Dhgate (collectively, the "Third Party Providers"), shall, within seven (7) calendar days after receipt of such notice, provide to Plaintiff expedited discovery, limited to copies of documents and records in such person's or entity's possession or control sufficient to determine:
 - a. the identities and locations of Defendants, their officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with them, including all known contact information and all associated e-mail addresses;
 - b. the nature of Defendants' operations and all associated sales, methods of payment for services, and financial information, including, without limitation, identifying information associated with the Online Marketplaces and Defendants' financial accounts, including Defendants' sales and listing history related to their respective Online Marketplaces; and
 - c. any financial accounts owned or controlled by Defendants, including their officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with them, including such accounts residing with or under the control of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, PayPal, Alipay, Alibaba, Ant Financial,

Amazon Pay, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

6. Upon Plaintiff's request, those with notice of this Order, including the Third Party Providers as defined in Paragraph 5, shall within seven (7) calendar days after receipt of such notice, disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using the CASIO Patented Design.
7. Any Third Party Providers, including PayPal, Alipay, Alibaba, Ant Financial, and Amazon Pay, shall, within seven (7) calendar days of receipt of this Order:
 - a. locate all accounts and funds connected to Defendants' seller aliases, including, but not limited to, any financial accounts connected to the information listed in Schedule A hereto, the e-mail addresses identified in Exhibit [2] to the Declaration of Hideyuki Kiuchi, and any e-mail addresses provided for Defendants by third parties; and
 - b. restrain and enjoin any such accounts or funds from transferring or disposing of any money or other of Defendants' assets until further order by this Court.
8. Plaintiff may provide notice of the proceedings in this case to Defendants, including notice of the preliminary injunction hearing, service of process pursuant to Fed. R. Civ. P. 4(f)(3), and any future motions, by electronically publishing a link to the Complaint, this Order, and other relevant documents on a website and by sending an e-mail with a link to said website to the e-mail addresses identified in Exhibit [2] to the Declaration of Hideyuki Kiuchi and any e-mail addresses provided for Defendants by third parties. The Clerk of the Court is directed to issue a single original summons in the name of "Bolly computer digital Store and all other Defendants identified in the Complaint" that shall apply to all

Defendants. The combination of providing notice via electronic publication and e-mail, along with any notice that Defendants receive from payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and afford them the opportunity to present their objections.

9. Plaintiff must provide notice to Defendants of any motion for preliminary injunction as required by Rule 65(a)(1).
10. Plaintiff's Complaint [Dkt. No. 1], Schedule A to the Complaint [Dkt. No. 7], Exhibit [2] to the Declaration of Hideyuki Kiuchi [Dkt. Nos. 13-20], and this Order shall remain sealed until further order by this Court or until the Order expires, whichever occurs earlier.
11. Within seven (7) calendar days of entry of this Order, Plaintiff shall deposit with the Court ten thousand dollars (\$10,000), either cash or surety bond, as security, which amount has, in the absence of adversarial testing, been deemed adequate for the payment of such damages as any person may be entitled to recover as a result of a wrongful restraint hereunder.
12. Any Defendants that are subject to this Order may appear and move to dissolve or modify the Order as permitted by and in compliance with the Federal Rules of Civil Procedure and the Northern District of Illinois Local Rules. Any third party impacted by this Order may move for appropriate relief.
13. This Temporary Restraining Order without notice is entered at 10:00 A.M. on this 15th day of February 2023 and shall remain in effect for fourteen (14) calendar days. Any motion to extend this Order must be filed by February 28, 2023.



Thomas M. Durkin
United States District Judge

Schedule A

| No. | Defendant Name / Alias |
|------------|--|
| 1 | Bolly computer digital Store |
| 2 | Digital Global Accessories Store |
| 3 | UE China Store |
| 4 | UKE Store |
| 5 | wellcomshop Store |
| 6 | wisefield |
| 7 | YIKU Store |
| 8 | yunzhijia Store |
| 9 | ZZshop |
| 10 | afurdel |
| 11 | dhipotik0 |
| 12 | dilshan_athukorala |
| 13 | discover-life |
| 14 | releularbath |
| 15 | sfoxlis |
| 16 | shamihi_79 |
| 17 | sujeestore |
| 18 | superinger |
| 19 | zinakkites |
| 20 | DP Mall |
| 21 | HAHSP |
| 22 | haikoulonghuaqushishuangmaoyizhongxin |
| 23 | sanyatianyafanghantechanyongpinxiaoshoushanghang |
| 24 | shangrenshangpinshanghang |
| 25 | SHUOZHOUHISHUOCHENGQULIYESHANGMAO |
| 26 | WYY-01 |
| 27 | xijunnandeshop |
| 28 | ZEOMI |
| 29 | 3C fun Store |
| 30 | 3C High Quality Store |
| 31 | 3C&Phone Store |
| 32 | 88888 Store |
| 33 | CE Boutique Store |
| 34 | Changzhou Four Seasons Stationery Co., Ltd. |
| 35 | Cooltech life Store |
| 36 | CXWeilai-CCC Store |
| 37 | DIANZI'S Store |
| 38 | Enjoying+o Store |
| 39 | FuXin Trading Co., Ltd. |

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| 40 | Learning E-life Store |
| 41 | Shop1102309218 Store |
| 42 | Tmac Ltd. CO |
| 43 | TwisterCK Store |
| 44 | wenwujiancaiFACTORY Store |
| 45 | WYMECT-DZ Store |
| 46 | XINGHEElectronStore Store |
| 47 | XYYX Store |
| 48 | You Must Need It Store |
| 49 | Yuefu preferred Store |
| 50 | Zero-official Store |
| 51 | ziyougouwu Store |
| 52 | ZJMZYM BanDou Store |
| 53 | babyfacecloth |
| 54 | baiy31 Store |
| 55 | bev8 Store |
| 56 | dahonghu |
| 57 | deng10 Store |
| 58 | dr5k Store |
| 59 | dsbv Store |
| 60 | fzctn6 Store |
| 61 | fzctp6 Store |
| 62 | fzctq6 Store |
| 63 | fzctr6 Store |
| 64 | fzcts8 Store |
| 65 | fzctt6 Store |
| 66 | gt30 Store |
| 67 | hnh5 Store |
| 68 | hoob |
| 69 | k9he Store |
| 70 | lilyzhy |
| 71 | llurang Store |
| 72 | lyouyiq3 Store |
| 73 | measuringtools Store |
| 74 | meidala Store |
| 75 | meiruida Store |
| 76 | mqhhn9358ss Store |
| 77 | n8fd Store |
| 78 | o344 Store |
| 79 | plwd Store |
| 80 | q7qo Store |
| 81 | qimeite Store |
| 82 | s9sa Store |
| 83 | szvapingtricks Store |
| 84 | t21i Store |

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| 85 | vfbk Store |
| 86 | vzwh Store |
| 87 | weida2021 Store |
| 88 | x2cs Store |
| 89 | xanz Store |
| 90 | xianglhongmy Store |
| 91 | yting Store |
| 92 | yw2z Store |
| 93 | zhengzhouww |
| 94 | zpaq Store |
| 95 | Anhui Jiepin Technology Development Co., Ltd. |
| 96 | Fuzhou Wellclock Electronic Co., Ltd. |
| 97 | Guangdong OSALO Electronic Technology Co., Ltd. |
| 98 | Guangzhou Cania Technology Co., Limited |
| 99 | Guangzhou Liwan Chi Lu Stationery Trading Firm |
| 100 | Guangzhou Ronaduo Electronic Technology Co., Ltd. |
| 101 | Hunan Wonderful Stationery&gifts Co., Ltd. |
| 103 | Qingchun Import And Export (suzhou) Co., Ltd. |
| 104 | Shanghai Biaolang Office Supplies Co., Ltd. |
| 105 | Yiwu Wanpincang Supply Chain Co., Ltd. |

| No. | Defendants Online Marketplace |
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| 1 | https://www.aliexpress.com/store/3363021 |
| 2 | https://www.aliexpress.com/store/900242430 |
| 3 | https://uechina.aliexpress.com/store/602738 |
| 4 | https://www.aliexpress.com/store/5427188 |
| 5 | https://www.aliexpress.com/store/1797163 |
| 6 | https://www.aliexpress.com/store/527257 |
| 7 | https://www.aliexpress.com/store/5875851 |
| 8 | https://www.aliexpress.com/store/912464493 |
| 9 | https://www.aliexpress.com/store/1388022 |
| 10 | https://www.dhgate.com/store/21650935 |
| 11 | https://www.ebay.com/usr/dhipotik0 |
| 12 | https://www.ebay.com/usr/dilshan_athukorala |
| 13 | https://www.ebay.com/usr/discover-life |
| 14 | https://www.ebay.com/usr/releularbath |
| 15 | https://www.ebay.com/usr/sfoxlis |
| 16 | https://www.ebay.com/str/shamihistoires |
| 17 | https://www.ebay.com/usr/sujeestore |
| 18 | https://www.ebay.com/usr/superinger |
| 19 | https://www.ebay.com/usr/zinakakes |
| 20 | https://www.amazon.com/sp?ie=UTF8&seller=A2D93BAT3000RR |
| 21 | https://www.amazon.com/sp?ie=UTF8&seller=A3E1JN9HKJX1AV |
| 22 | https://www.amazon.com/sp?ie=UTF8&seller=A3DCZFQWDB5QC7 |
| 23 | https://www.amazon.com/sp?ie=UTF8&seller=A3K4EPY9OKE9NV |

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| 24 | https://www.amazon.com/sp?ie=UTF8&seller=ADPK71AMQOW31 |
| 25 | https://www.amazon.com/sp?ie=UTF8&seller=A1YP55SWYPK1FL |
| 26 | https://www.amazon.com/sp?_encoding=UTF8&asin=&isAmazonFulfilled=&isCBA=&marketplaceID=ATVPDKIKX0DER&orderID=&protocol=current&seller=A18SYDJCOWNYAO&sshPath= |
| 27 | https://www.amazon.com/sp?ie=UTF8&seller=A2R6ZUS102EB7P |
| 28 | https://www.amazon.com/sp?_encoding=UTF8&asin=&isAmazonFulfilled=1&isCBA=&marketplaceID=ATVPDKIKX0DER&orderID=&protocol=current&seller=A3FREJEPYRWR2K&sshPath= |
| 29 | https://www.aliexpress.com/store/1988229 |
| 30 | https://www.aliexpress.com/store/3343010 |
| 31 | https://www.aliexpress.com/store/2068017 |
| 32 | https://16888.aliexpress.com/store/1101286247 |
| 33 | https://www.aliexpress.com/store/1997135 |
| 34 | https://seasontime.en.alibaba.com |
| 35 | https://www.aliexpress.com/store/5240320 |
| 36 | https://www.aliexpress.com/store/1101949117 |
| 37 | https://www.aliexpress.com/store/2492055 |
| 38 | https://www.aliexpress.com/store/3871076 |
| 39 | https://www.aliexpress.com/store/1861060 |
| 40 | https://www.aliexpress.com/store/5045260 |
| 41 | https://www.aliexpress.com/store/1102306272 |
| 42 | https://www.aliexpress.com/store/1803726 |
| 43 | https://www.aliexpress.com/store/911426235 |
| 44 | https://www.aliexpress.com/store/912516925 |
| 45 | https://www.aliexpress.com/store/912724161 |
| 46 | https://www.aliexpress.com/store/912659523 |
| 47 | https://www.aliexpress.com/store/912422160 |
| 48 | https://www.aliexpress.com/store/5889953 |
| 49 | https://www.aliexpress.com/store/910316387 |
| 50 | https://www.aliexpress.com/store/1102092126 |
| 51 | https://www.aliexpress.com/store/912062774 |
| 52 | https://www.aliexpress.com/store/4991357 |
| 53 | https://www.dhgate.com/store/21664644 |
| 54 | https://www.dhgate.com/store/21814902 |
| 55 | https://www.dhgate.com/store/21800714 |
| 56 | https://www.dhgate.com/store/20002959 |
| 57 | https://www.dhgate.com/store/21728811 |
| 58 | https://www.dhgate.com/store/21819014 |
| 59 | https://www.dhgate.com/store/21819699 |
| 60 | https://www.dhgate.com/store/21750734 |
| 61 | https://www.dhgate.com/store/21751089 |
| 62 | https://www.dhgate.com/store/21750675 |
| 63 | https://www.dhgate.com/store/21750739 |
| 64 | https://www.dhgate.com/store/21751096 |

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| 65 | https://www.dhgate.com/store/21751077 |
| 66 | https://www.dhgate.com/store/21819013 |
| 67 | https://www.dhgate.com/store/21819458 |
| 68 | https://www.dhgate.com/store/21035303 |
| 69 | https://www.dhgate.com/store/21819697 |
| 70 | https://www.dhgate.com/store/21128604 |
| 71 | https://www.dhgate.com/store/21743361 |
| 72 | https://www.dhgate.com/store/21751281 |
| 73 | https://www.dhgate.com/store/20718862 |
| 74 | https://www.dhgate.com/store/21748707 |
| 75 | https://www.dhgate.com/store/21748705 |
| 76 | https://www.dhgate.com/store/21749526 |
| 77 | https://www.dhgate.com/store/21819281 |
| 78 | https://www.dhgate.com/store/21819006 |
| 79 | https://www.dhgate.com/store/21819698 |
| 80 | https://www.dhgate.com/store/21819439 |
| 81 | https://www.dhgate.com/store/21742728 |
| 82 | https://www.dhgate.com/store/21819701 |
| 83 | https://www.dhgate.com/store/21296932 |
| 84 | https://www.dhgate.com/store/21819602 |
| 85 | https://www.dhgate.com/store/21819284 |
| 86 | https://www.dhgate.com/store/21819700 |
| 87 | https://www.dhgate.com/store/21732263 |
| 88 | https://www.dhgate.com/store/21819003 |
| 89 | https://www.dhgate.com/store/21819674 |
| 90 | https://www.dhgate.com/store/20535071 |
| 91 | https://www.dhgate.com/store/20740846 |
| 92 | https://www.dhgate.com/store/21819283 |
| 93 | https://www.dhgate.com/store/21211409 |
| 94 | https://www.dhgate.com/store/21819834 |
| 95 | https://mutual-trust.en.alibaba.com |
| 96 | https://cnwellclock.en.alibaba.com |
| 97 | https://osalo.en.alibaba.com |
| 98 | https://gzcania.en.alibaba.com |
| 99 | https://chiluwenju.en.alibaba.com |
| 100 | https://cnronaduo.en.alibaba.com |
| 101 | https://wonderfulworld.en.alibaba.com |
| 103 | https://szqingchun.en.alibaba.com |
| 104 | https://biaolangoffice.en.alibaba.com |
| 105 | https://wanpincang.en.alibaba.com |